

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 30, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ALICIA M.,¹

No. 2:24-cv-00160-EFS

Plaintiff,

v.

MARTIN O'MALLEY, Commissioner of
Social Security,

**ORDER GRANTING THE PARTIES'
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C.
§ 405(g)**

Defendant.

The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. The parties also agree that Plaintiff is entitled to reasonable attorney fees and costs under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to the Court.

Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 15**, is

GRANTED.

¹ For privacy reasons, the Court refers to every social security plaintiff by first name and last initial or by "Plaintiff." See LCivR 5.2(c).

1 2. This matter is **REVERSED** and **REMANDED** to the Commissioner
2 of Social Security for further administrative proceedings pursuant to
3 sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council
4 is to instruct the ALJ to:

5 • Exhibit and consider the physician's statement from Randal
6 Bunch, M.D., dated January 17, 2018, and entered into the
7 evidentiary record on January 23, 2018; and
8 • Offer the opportunity for a new hearing, take any further action
9 needed to ensure that the administrative record is complete and
10 issue a new decision.

11 3. The Clerk's Office shall **TERM** the hearing and Plaintiff's brief, **ECF**
12 **No. 9**, enter **JUDGMENT** in favor of Plaintiff, and **CLOSE** the case.

13 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
14 and provide copies to all counsel.

15 **DATED** this 30th day of October 2024.

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18 EDWARD F. SHEA
19 Senior United States District Judge
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